



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPEMNT**

**Application Number:** 2304612  
**Applicant Name:** Stuart McFeely for Angie and Eric Browne  
**Address of Proposal:** 5001 Delridge Way Southwest

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to change the use of 2,096 square feet of an existing 2-story retail/apartment building from retail to business support services. Surface parking to be provided for four vehicles.

The following approval is required:

**Administrative Conditional Use** - to allow conversion of one nonconforming use (general retail sales and service) to another (business support services) in a Lowrise 2 (L-2) zone. (SMC 23.42.110)

**SEPA DETERMINATION:**      ☒ Exempt   ☐ DNS   ☐ MDNS   ☐ EIS  
   ☐ DNS with conditions  
   ☐ DNS involving non-exempt grading, or demolition,  
   or involving another agency with jurisdiction.

**BACKGROUND**

The subject parcel is zoned Lowrise 2 (L-2) and is located at the southwest corner of Delridge Way Southwest and Southwest Hudson Street in West Seattle. The site is developed with a two-story building adjacent to the north and east and west property lines. The first floor consists of a 1,680 square foot retail store and the second floor contains three apartment units and a 415 square foot storage area for the retail store. No parking is currently provided on site.

According to the applicant, the previous nonresidential use was a small grocery store called *Food Fair Grocery and Meat Market*. The store was in operation as early as 7:00 a.m. and stayed open to as late as 10:30 p.m.

### Proposal

The proposal is to change the use of 2,096 square feet from general retail sales and service to business support services. This business support service use is a commercial still photography and motion picture studio with accessory office space. The applicant also proposes interior alterations on both floors and reconfiguration of the second floor to convert the three apartment units into two apartment units. Exterior changes include fencing and landscaping and rebuilding of a porch and stairs. The applicant has provided the following information regarding the proposed operation of the business. Hours of operation are anticipated to be between 8:30 a.m. and 6:00 p.m. The applicant estimates that there will be no more than three employees (photographer, photographer's assistant, and photographer stylist) and one client present at any given time. Clients are not drop-in customers. Surface parking for four vehicles will be provided to the rear of the building.

### Public Comments

The public comment period ended September 3, 2003. DPD received one comment letter which expressed support for this project.

### **ANALYSIS - ADMINISTRATIVE CONDITIONAL USE**

Standards for converting from one nonconforming use to another are found in section SMC 23.42.110 of the Seattle Land Use and Zoning Code. Specific criteria applicable to this application can be found in Subsection B. The proposed new use must be no more detrimental to properties in the zone or vicinity than the existing use. This determination shall be based on the following criteria:

1. *The zones in which both the existing use and the proposed new use are allowed;*

General Retail Sales and Service and Business Support Services are both permitted in all commercial zones (from residential zones with a Residential Commercial designation to Commercial 2). They are both permitted in all industrial zones as well as downtown. The uses are not regulated differently in any of these zones except for parking which will be discussed below therefore, it seems reasonable to assume that the change of use should be approved based on a comparison of the zones in which both uses are allowed.

2. *The number of employees and clients associated or expected with the proposed use;*

The applicant estimates that the maximum number of employees will be three (3). The applicant estimates that no more than one client will come to the site at any given time. The proposed use will operate in a way that photo shoots will be very carefully coordinated and scheduled in advance. The previous use had approximately the same number of employees. A butcher arrived as early as 7:00 and the owners, a husband and wife would work during the day. A night clerk would arrive around 5:00 p.m. A stock clerk helped bring products in the store, and priced

and stocked the products as needed. The client number would have been considerably higher because customers would have come and gone throughout the day. Based on the reduction in clients, it is reasonable to assume impacts associated with these criteria will not be substantial enough to require further mitigation.

3. *The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses and how these impacts could be mitigated.*

Section 23.54.015 of the Seattle Land Use and Zoning Code states that no parking is required for ground floor businesses in multifamily zones. The three apartment units on the second floor would have required a total of three spaces although none were provided. Although no parking is required for this proposal, the applicant will provide four parking spaces for the residential units at the rear of the property.

It is anticipated that deliveries and/or pick-ups associated with the photography and motion picture studio will not adversely impact the traffic flow of the site and will even have less of an impact than the existing store deliveries. The previous use had delivery trucks unloading products at various times throughout the day and throughout the week. The applicant anticipates that a processing lab may send a courier to pick up exposed film or to drop off processed film once a day. Lighting and camera equipments stored at the building but used off-site will be loaded into a truck and driven to shoot locations. At the end of the day, the equipment will be returned. Because of the reduction of the number of customers/clients, the traffic will reduce dramatically.

There is a run of fluorescent lighting along the awning in front of the building. This will not be needed for the proposed use. Although no new signage is proposed, installation of any signage in the future will have to comply with section 23.55.022F. There will be no other change or addition to the exterior lighting of the building. Overhead lighting inside the building will remain. New lighting fixtures may be used in some of the individual rooms such as the bathroom, storage room, and kitchen. The professional lighting used on the photo sets will not leave the building because of the shutters on the windows. A six foot high fence and landscaping are proposed along the west property line to provide screening of vehicle headlights and the parking area. No additional impacts due to lighting are anticipated beyond that which may already be in existence on the site.

The previous use had large freezers and a walk-in cooler which generated a small amount of noise because of the mechanical equipment associated with them. The interior of the building will be remodeled to accommodate installation of features associated with the studio. These items include a kitchen and dining room, which are primarily used as photo sets, storage areas and offices. No increase in noise is anticipated to be associated with the proposed use.

The previous use had a meat market and deli area in which food such as fried chicken, fries, teriyaki and fried rice were prepared and sold. The kitchen did produce a minimal amount of odor because of the fried food. Garbage was collected and deposited at the rear of the market in a dumpster that was emptied every week. The proposed use will not create any additional odor. The kitchen will not generate any more odor than the kitchen used for the deli. No film

processing will be done on site. Garbage will be placed in a locked dumpster at the rear of the building and garbage pickup will occur weekly. Any odor associated with refuse will be contained within the dumpster, therefore no additional mitigation will be required.

**DECISION - ADMINISTRATIVE CONDITIONAL USE**

The request to change the use of the existing General Retail Sales and Service use to Business Support Services is **GRANTED.**

**CONDITIONS - ADMINISTRATIVE CONDITIONAL USE PERMIT**

None required.

Signature: (signature on file) Date: November 6, 2003  
Darlene Edwards, Land Use Planner  
Department of Planning and Development

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